

REMARKS

Claims 66-100 and 102-136 are pending in this application. Claims 130-136 are independent claims. Claim 135 has been amended by this Amendment.

The Office Action dated October 31, 2007 objected to claim 133 because of an informality. The Office Action also rejected all of the pending claims under 35 USC 103(a) as being rendered obvious by a combination of prior art references.

Request for Supervisor Oversight

This application has been pending for more than five years. The outstanding Office Action dated October 31, 2007 is the fifth Office Action mailed in this application. It makes a new grounds of rejection based on a newly cited reference. There is no indication why the rejection was not made earlier or why the reference was not cited earlier. Indeed, the newly cited reference appears to be **less relevant** than the references applied in the previous rejections.

Therefore, in addition to traversing the new grounds of rejection below, applicants expressly request the oversight of the supervisory patent examiner in an attempt to conclude the prosecution of this application. See MPEP 707.02. If a telephone interview would assist in bringing the prosecution of this application to a conclusion, then applicants respectfully request that the Examiner call the undersigned attorney.

Claim Objections and Amendment

In part 1 on page 1, an objection was made to claim 133 because of an improper status identifier. The status identifier has been corrected in this Amendment. Claim 135 has been amended merely for grammatical reasons.

Obviousness Rejection

The grounds and rationale for the obviousness rejection of the pending claims was set forth in part 3 on pages 2-13 of the Office Action. Specifically, the claims are rejected on the grounds that one would have modified the embodiments described on pages 14-16 of Ludwig et al., PCT International Publication Number WO 99/04582 (for the sake of simplicity, these embodiments are hereinafter referred to simply as "Ludwig")

such that "generating a request to a location center, to provide the exact location of the mobile with prior identification of the requester in order to provide security and privacy to the mobile station." Applicants respectfully traverse the rejection on the grounds that it fails to establish a prima facie case that the proposed modification of Ludwig to include each and every one of the combination of features recited in the rejected claims would have been obvious to one of ordinary skill in the art.

For example, independent claim 130 is directed to a network. The claim requires a first station in communication with at least one network element. The first station establishes a connection with an element external to the network via the at least one network element. The claim specifies that one of the first station and the network element is provided with a dedicated address. This dedicated address is to receive a request from the external element as to the location of the first station. The dedicated address is such that any request received at the dedicated address is a position request. Independent claims 131-133 recite substantially similar features. Independent claims 134-136 are similar except that they utilize means plus function language authorized by 35 USC 112, sixth paragraph.

The rejection acknowledges that Ludwig does not disclose the features that "one of said first station and said at least one network element is provided with a dedicated address arranged to receive a request from said external element as to the location of the first station" and that "any request received at the dedicated address is a position request." The rejection appears to imply that these features are disclosed in U.S. Patent No. 6,421,009 issued to Supronov, when it states (in the paragraph immediately preceding the purported rationale for modifying Ludwig) that Supronov "teaches location determination units for locating the mobiles with positioning request by external elements such as location."

A locator system is described in Supronov. It has an emergency locator unit 20 shown in Figures 1 and 2, and a monitor unit 100 shown in Figures 1 and 3. In the passage pointed out, the LDP (in other words, the locator unit) is controlled by a micro controller for operation in a first mode, a second mode and a third mode.

The passage at col. 2, line 62, to col. 3, line 16, discloses the location determination point unit effectively monitoring emergency cell phone activity and

transmitting the information to a monitor unit. Accordingly, information from a number of different location determination point units is received by the monitoring unit such that information on location of the mobile user can be obtained. Also, the monitor unit is described as being a PC with a map/graphical user interface, and a cell phone database. The database associates the number of the mobile station with the user. The database also includes the number associated with mobile station and the identity of the user corresponding to the number including the user's home telephone number, name, address and other relevant information. The monitor unit is arranged to process location data, for example, display a map of the cell area as well as the determined position of the mobile station.

Supronov does not disclose that one of the first station and a network element is provided with a dedicated address for receiving a request from an external element as to the location of this first station. There is also no disclosure that any request received at the dedicated address is a position request. Therefore, even if Ludwig was combined with Supronov, it would not result in the claimed invention because neither document has any disclosure of providing one of the first station and at least one network element with a dedicated address which is arranged to receive a request from the external element as to the location of the first station, wherein any request received at that dedicated address is a position request.

Secondly, the rejection asserts the rationale that it would have been obvious to modify Ludwig to generate a request to a location center, and to provide the exact location of the mobile with prior identification of the requester in order to provide security and privacy to the mobile station. It is not clear how such a rationale is either: 1) relevant to the independent claims 130-136; or 2) garnered from Supronov when considered as a whole. As noted above with respect to item 1), the independent claims do not recite merely generating a request to a location center or providing the exact location of a mobile with prior identification of the requester. With respect to item 2), there is no citation to any portion of Supronov. Indeed, the rationale in the current obviousness rejection (see page 3, second paragraph, of the current Office Action dated October 31, 2007 is exactly the same as the rationale in the previous obviousness rejection (see page 3, second paragraph, of the previous Office Action dated May 18, 2007) even though

Supronov wasn't even applied in the previous obviousness rejection or cited in the previous Office Action.

Applicants hereby petition for a one month extension of time. The Commissioner is hereby authorized to charge the fee for the one month extension, and any additional fees necessary for the consideration of this Amendment, or to avoid abandonment of this application, to Deposit Account No. 10-0100 (Docket No. NOKIA.4009US).

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Date

Respectfully submitted,



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